

## **REMARKS**

The title of this application has been amended by deleting the term referring to "prevention" and now refers only to the treatment of gastrointestinal disease in order to be consistent with amendments made to the Claims.

Claims 1-43 are pending in the application. Claims 1, 14, 17, 22, and 25 have been amended by deleting the term "prodrug". Claim 1 has been further amended by removing the term "prevention". Claims 1 and 22 have been narrowed to the specific condition or disease of the gastrointestinal tract and have also been narrowed by removing "Formula II" and replacing it with inducible nitric oxide synthase inhibitor compounds. Claims 2 and 31 have been canceled. Claims 3-13, 15-16, Claims 18-21, 23-24, Claims 26-30, Claims 32-36, and Claims 38-43 are original Claims. Claim 37 was previously presented.

### **I. Rejection of Claims 1-43 under 35 U.S.C. 112, first paragraph**

Claims 1-43 have been rejected under 35 U.S.C. 112, first paragraph as allegedly failing to enable one of ordinary skill in the art to make or use the claimed invention.

### **II. Objections**

#### **a. Designations of "2HCl" and "2TFA" in Claims 1 and 22 are not improper.**

a. The Office Action states that the designations of "2HCl" and "2TFA" in Claims 1 and 22 are objected to because they are allegedly "dangling". The Office requests that the point of attachment be shown. The Applicants contend that a chemist of ordinary skill in the art would recognize salt forms as shown. These are ionic bonds and not covalent bonds. The Applicants point out that ionic salt bonds associate and dissociate depending on pH conditions. For these reasons, the Applicants respectfully contend that the salt ionic bonds shown are not improper.

#### **b. Deletion of "prodrug"**

a. The Office Action alleges that while one skilled in the art would know the definition of the term "prodrug" on page 38 of the specification, those "more preferred prodrugs" contemplated by the Applicants are not. In response to this objection, the Applicants have deleted the term "prodrug" from Claims 1, 14, 17, 22, and 25.

**c. Deletion of the term "prevention" from claim 1.**

a. The Office Action notes that the term "prevention" remains in Claim 1. The Applicants have deleted this term from Claim 1.

**IV. Request for Continued Examination**

According to the Office, the present Office Action is Final. The Applicants have included a Request for Continued Examination in this response.

**V. Obviousness-type Double Patenting Rejection**

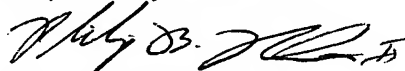
Claims 1-43 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 91-108 of U.S. Patent No. 6,586,474.

A terminal disclaimer believed to obviate this rejection is attached to this paper.

**VI. Conclusion**

If the Examiner believes a telephonic interview with Applicant's representative would aid in the prosecution of this application, she is cordially invited to contact Applicant's representative at the below listed number.

Respectfully submitted,



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